

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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**FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver of Heritage  
Community Bank,**

**Plaintiff,**

**v.**

**JOHN M. SAPHIR; PATRICK G. FANNING;  
STEPHEN L. FAYDASH; WILLIAM E.  
HETLER; THOMAS JELINEK; LORI A.  
MOSELEY; STEPHEN ANTHONY;  
JERRY C. BRUCER; JAMES K. CHAMPION;  
ANDREW B. NATHAN; and MARY C. MILLS,**

**Defendants.**

**Case No. 10-cv-7009**

**JURY DEMANDED**

**Judge Rebecca Pallmeyer**

**DEFENDANT STEPHEN L. FAYDASH'S  
MOTION TO STRIKE**

NOW COMES Defendant, STEPHEN L. FAYDASH, by and through his attorneys, Gardiner Koch Weisberg & Wrona, and pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, moves this Court to strike Document # 65. In support of his motion, Defendant states as follows:

1. Defendant Faydash electronically filed his Motion to Dismiss the FDIC's Complaint, as well as the Memorandum in Support of Motion to Dismiss the FDIC's Complaint, on January 24, 2011. The Memorandum was filed as Document # 65.

2. Upon review of the Memorandum after filing it, Plaintiff's counsel noted that several typographical errors had not been corrected.

3. On January 25, 2011, with the assistance of a filing clerk of the Court, Plaintiff's counsel filed a corrected version of the Memorandum.

4. Plaintiff now moves to strike Document #65 as redundant.

WHEREFORE, Defendant, STEPHEN L. FAYDASH, by and through his attorneys Gardiner Koch Weisberg & Wrona, prays that this honorable Court strike Document #65 pursuant to Fed. R. Civ. Pro. 12(f) and grant Defendant such other relief as this Court deems appropriate and just.

Dated: January 26, 2011

Respectfully submitted,

/s/ Thomas G. Gardiner

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Counsel for Defendant Stephen L. Faydash